

[NOT YET SCHEDULED FOR ORAL ARGUMENT]

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

NATIONAL WOMEN'S LAW CENTER
et al.,

Plaintiffs-Appellees,

v.

OFFICE OF MANAGEMENT & BUDGET
et al.,

Defendants-Appellants.

No. 19-5130

**UNOPPOSED MOTION FOR A ONE-WEEK
EXTENSION OF TIME TO FILE REPLY BRIEF**

The government respectfully moves for a one-week extension of time, to and including November 15, 2019, in which to file its reply brief. This motion is unopposed.

1. Plaintiffs-appellees challenge the decision of the Office of Management and Budget (OMB) to stay and reconsider a collection of pay information proposed by the Equal Employment Opportunity Commission (EEOC) and approved by OMB pursuant to its authority under the Paperwork Reduction Act. On March 4, 2019, the district court granted summary judgment for plaintiffs and vacated OMB's stay. On April 25, 2019, the court entered a further order directing EEOC to collect two years

of pay information by September 30, 2019, and to continue to collect information after that deadline until such time as EEOC obtained responses from the percentage of employers specified by the court.

2. Plaintiffs filed their response brief on October 18, 2019. Five amicus briefs in support of plaintiffs were filed on October 25, 2019.

3. The government respectfully requests a one-week extension of time, to and including November 15, 2019, in which to file its reply brief. The requested extension is necessary to allow adequate time to prepare a response in consultation with the client agencies and other individuals within the Department of Justice, and in light of counsel's other litigation responsibilities. The undersigned counsel is presenting oral argument in this Court on October 29, 2019, in *Cigar Association of America v. FDA*, No. 18-5195 (D.C. Cir.). Government counsel also have responsibility for a number of internal matters during the briefing period.

3. Counsel for plaintiffs has authorized us to state that plaintiffs consent to this motion.

Respectfully submitted,

DANIEL TENNY

s/ Lindsey Powell

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OCTOBER 2019

CERTIFICATE OF COMPLIANCE

I hereby certify that this motion complies with the type-volume limitation set forth in Federal Rule of Appellate Procedure 27(d)(2)(A) because it uses a proportionately spaced, 14-point font and contains 272 words according to the count of this office's word-processing program.

s/ Lindsey Powell

LINDSEY POWELL

CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2019, I electronically filed the foregoing motion with the Clerk of the Court by using the appellate CM/ECF system. I further certify that the participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

s/ Lindsey Powell

LINDSEY POWELL